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TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48454]

Customs Regulations Amended—Duress Entries

ARTICLE 823 (B) OF THE CUSTOMS REGULATIONS OF 1931 AMENDED TO PROVIDE FOR LIQUIDATION OF DURESS ENTRIES IN ACCORDANCE WITH THE FINAL APPRAISEMENT IN THE EVENT THE TEST CASE HAS BEEN WON WHOLLY OR IN PART BY THE IMPORTER—T. D. 45805 ALSO AMENDED ACCORDINGLY

To Collectors of Customs and Others Concerned:

Pursuant to authority contained in Section 624 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1624), the last paragraph of Article 823 (b) of the Customs Regulations of 1931 is amended to read as follows:

T. D.'s 45805, 47653, 48092. When the above conditions concur, the Collector shall liquidate the entry in accordance with the final appraisement.

The fourth paragraph of T. D. 45805, which published Pub. Res. No. 37, of July 12, 1932 (U. S. C., title 19, sec. 1503a), and the Department's instructions thereunder, is amended to read as follows:

If the requirements of the statute have been met in a duress entry, it should be liquidated on the basis of the final appraisement resulting from the appeal taken from the original appraisement therein.

[SEAL] J. H. Moyle,
Commissioner of Customs.

Approved, July 27, 1936.

Wayne C. Taylor,
Acting Secretary of the Treasury.

[F. R. Doc. 1529—Filed, August 3, 1936; 9:32 a. m.]

[T. D. 48456]

Entry of Articles for Exhibition

REGULATIONS FOR THE ENTRY OF ARTICLES FOR EXHIBITION AT THE PORT AUTHORITY, COMMERCE BUILDING, NEW YORK, N. Y., BY THE PORT OF NEW YORK AUTHORITY

July 28, 1936.

To Collectors of Customs and Others Concerned:

The following regulations are promulgated in accordance with the provisions of the act of June 25, 1936 (Public, No. 795, 74th Congress), which is referred to hereafter as the act, and which is as follows:

That all articles which shall be imported from foreign countries for the sole purpose of exhibition or display at a permanent exhibition or exhibitions and/or at a temporary exhibition or exhibitions of the arts, sciences, and industries, and products of the soil, mine, and sea, to be held at any time and from time to time by the Port of New York Authority, a municipal corporate instrumentality organized pursuant to a compact entered into on April 30, 1921, between the States of New York and New Jersey and consented to by the Congress of the United States (ch. 77, U. S. Stat. L., vol. 42, pt. I, p. 174), and/or by its tenants or licensees in the building known as the Port Authority Commerce Building, located on the block bounded by Eighth and Ninth Avenues, Fifteenth and Sixteenth Streets, Borough of Manhattan, city and State of New York, upon which articles there shall be a tariff or customs duty, shall be admitted free of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful, at any time during or at the close of any exhibition held pursuant to this Act, to sell for delivery at the close thereof any goods or property imported for and actually displayed at such exhibition, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: Provided, That all such articles, when sold or withdrawn for consumption or use in the United States, shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal and to the requirements of the tariff laws in effect at such date: Provided further, That the Port of New York Authority shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that all necessary governmental expenses incurred as a result of exhibitions authorized under this Act, including salaries of customs officials in charge of imported articles, shall be paid to the Treasury of the United States by the Port of New York Authority under regulations to be prescribed by the Secretary of the Treasury: Provided further, That all such articles shall, at the expiration of two years, be subject to the impost duty then in force, unless the same shall have been sold or exported from this country prior to that period of time: And provided further, That nothing in this Act contained shall be construed as an invitation, expressed or implied, from the Government of the United States to any foreign government, state, municipality, corporation, partnership, or individual to import any articles for the purpose of exhibition at the said exhibitions.

(1) Prior to the entry of any articles hereunder, the Port of New York Authority shall give to the collector of customs at New York a bond in the penal sum of $250,000, containing such conditions for compliance with the act and these regulations as shall be approved by the Commissioner of Customs.

(2) All packages containing imported merchandise to be entered under the provisions of the act shall be plainly marked "For exhibition at the Port Authority Commerce Building" and with the name of the country of origin, and shall bear separate serial numbers.

(3) All importations of articles of a class requiring a consular invoice, intended for exhibition under the provisions of the act and valued at more than $100, must be

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TABLE OF CONTENTS

covered by consular invoices certified before an American consul. Such invoices shall contain the information prescribed by the general tariff law in force at the date of importation (sec. 481, tariff act of 1930, U. S. C. title 19, sec. 1484) and shall show that the articles covered thereby are destined to the port of New York and are to be exhibited at the Port Authority Commerce Building.

(4) The collector of customs at New York shall detail an acting deputy collector of customs to act as his representative at the Port Authority Commerce Building and shall station inside the places of exhibition as many additional customs officers and employees as may be necessary to properly protect the revenue.

(5) All necessary expense incurred by the customs service in connection with the entry, examination, appraisement, release, or custody of articles imported under these regulations, including the salaries of customs officers and employees in charge of imported articles, whose duties are to supervise, guard, and keep account of exhibits during the exhibitions, shall be reimbursed to the Government by the Port of New York Authority, payment to be made monthly to the collector of customs, New York, N. Y., for deposit to the credit of the Treasurer of the United States as a repayment to the appropriation "Collecting the revenue from customs."

(6) Articles to be entered under these regulations which arrive at ports other than New York shall be entered for immediate transportation without appraisement to the latter port in the manner provided by the general customs regulations.

(7) Upon the arrival at the port of New York of articles to be entered under these regulations, they should be entered on a special form of entry, which shall read substantially as follows:

ENTRY FOR EXHIBITION

ENTRY NO. ------

Entry at the port of New York of articles imported by the Port of New York Authority ex S. S. ----------, from ---------- ----------, on the day of ----------, 19---, for exhibition purposes under the act of June 25, 1936 (Public, No. 795, 74th Cong.). Actual owner: ----------

Mark	Number	Packages and contents	Quantity	Invoice	Value

PORT OF NEW YORK AUTHORITY,

By ----------

(8) Upon such entry being made, the collector will issue a special permit for the transfer of the articles covered thereby to the buildings in which they are to be exhibited. Upon the receipt of the articles at the place of exhibition they shall be appraised before being placed on exhibition, and such appraisement will be final in the absence of an appeal to reappraisement, as provided in the general tariff law in effect at the time (sec. 501, tariff act of 1930, U. S. C. title 19, sec. 1501).

(9) If for any reason articles imported for entry under these regulations are not to be delivered upon their arrival immediately to the place of exhibition, the importer should so indicate to the collector in writing, who will cause such merchandise to be placed in a bonded warehouse under a "general order permit" at the risk and expense of the Port of New York Authority, and such articles may be entered at any time within one year from the date of importation for exhibition, as herein provided, for consumption, for regular warehouse, or for exportation, after which time, unless so entered, they will be regarded as abandoned to the Government.

(10) All articles covered by entries made under these regulations shall be kept segregated from domestic and duty-paid articles and shall not be removed from the designated place of exhibition during the continuance of the exhibition for which the articles were imported, except upon a withdrawal thereof for exportation, which may be made at any time during the progress of the exhibition.

(11) The whole or any part of the merchandise covered by any entry made under these regulations may be sold at any time during the exhibition for which it was imported, but

no withdrawal thereof for regular warehouse or consumption shall be made until the close of the exhibition for which it was imported, or the expiration of two years from the date of its importation, as provided in paragraph (13) whichever is earlier.

(12) Articles entered for exhibition purposes as hereinbefore provided, and for which no withdrawal for exportation has previously been made, must be withdrawn at the close of any exhibition for consumption, for regular warehouse, or for exportation. Articles not so withdrawn within 30 days after the close of the exhibition for which they were imported shall be regarded as abandoned to the Government. In the case of articles withdrawn hereunder for regular warehouse, which have not been sold within two years after the date of their importation, the same must be exported or duty paid not later than two years from the date of their importation, but if such articles have been sold within two years after the date of their importation they may be accorded the full warehouse privileges provided for in the general tariff laws in effect at the time. In any case the warehouse period shall be computed from the date of importation.

(13) If at the expiration of two years from the date of their importation any articles entered under these regulations have not been withdrawn for consumption, for regular warehouse, or for exportation, and have not become abandoned to the Government, the duties, if any, applicable under the tariff laws in effect at the time shall then be payable by the Port of New York Authority. If such articles are not withdrawn for consumption, for regular warehouse, or for exportation within 30 days after the expiration of the two-year period, they shall be regarded as abandoned to the Government.

(14) All entries filed under these regulations shall be made in the name of the Port of New York Authority, who shall be deemed for customs purposes the sole consignee of the merchandise entered under the act and who shall be held responsible to the Government for all duties and/or charges due the United States on account of such entries; but in the case of merchandise withdrawn from an exhibition under the provisions of paragraph (12) or (13) of these regulations a consumption or regular warehouse entry in the name of any person duly authorized in writing by the Port of New York Authority to make such entry may be accepted by the collector, and the bond of the Port of New York Authority shall thereafter be considered as collateral security for any duties and/or charges accruing on the merchandise covered by such entries.

(15) When all duties and charges due have been paid on any merchandise entered under these regulations and the exhibition for which it was imported has closed or two years from the date of its importation have expired, such merchandise shall be held to be no longer in the custody or control of the officers of the customs, unless the same shall have been entered for regular warehouse after being on exhibition and prior to the payment of duties.

(16) The marking requirements of the general tariff law in effect at the date of withdrawal (sec. 304, tariff act of 1930, U. S. C., title 19, sec. 1304) shall apply to all articles entered hereunder and subsequently withdrawn from an exhibition or from warehouse for consumption or use in the United States.

(17) Precious and semiprecious stones, articles mounted with precious or semiprecious stones, articles made of precious metal, and similar articles of small bulk and relatively high value entered under these regulations shall be sent to the appraisers' stores for examination and appraisement prior to their transfer to the Port Authority Commerce Building for exhibition. No mounting or demounting of such articles shall be permitted unless they are first entered for consumption and the appropriate duties have been paid, and, until finally accounted for, they shall be maintained in the precise condition in which they were imported.

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 1530—Filed, August 3, 1936; 9:33 a. m.]

Bureau of Internal Revenue.

[T. D. 4673]

INCOME TAX—MUTUAL INSURANCE COMPANIES OTHER THAN LIFE

FURTHER EXTENSION OF TIME FOR FILING RETURNS

To Collectors of Internal Revenue and Others Concerned:

Pursuant to the provisions of section 53 of the Revenue Act of 1934, a further extension of time for such period as may be necessary, but not later than August 15, 1936, is hereby granted to mutual insurance companies other than life for the filing of income tax returns, Form 1030, for the calendar year 1935.

This document is issued under the authority prescribed by sections 53 and 62 of the Revenue Act of 1934.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved, July 30, 1936.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 1523—Filed, July 31, 1936; 3:30 p. m.]

POST OFFICE DEPARTMENT.

PAYMENT OF REWARDS PURSUANT TO THE PROVISIONS OF THE TREASURY AND POST OFFICE APPROPRIATION ACT FOR THE FISCAL YEAR ENDING JUNE 30, 1937[1]

JULY 25, 1936.

On and after July 1, 1936, unless otherwise ordered, the Post Office Department will pay the following rewards, providing Congress makes available the necessary appropriation:

(1) *Not exceeding two thousand dollars* for the arrest and conviction of any offender on the charge of assaulting any person having lawful charge, control, or custody of any mail, or money or other property of the United States, with intent to rob, steal, or purloin such mail, or money or other property of the United States, or any part thereof, or on the charge of robbing any such person of any such mail, or money or other property of the United States, if in effecting or attempting to effect such robbery, he shall wound the person having custody of the mail, or money or other property of the United States, or put his life in jeopardy by the use of a dangerous weapon.

(2) *Not exceeding two thousand dollars* for the arrest and conviction of any offender on the charge of mailing or causing to be mailed any bomb, infernal machine, or mechanical, chemical, or other device or composition which may ignite or explode, with the design, intent, or purpose to kill or in any wise hurt, harm, or injure another, or damage, deface, or otherwise injure the mails or other property.

(3) *Not exceeding one thousand dollars* for the arrest and conviction of any offender on the charge of assaulting any person having lawful charge, control, or custody of any mail, or money or other property of the United States, with intent to rob, steal, or purloin such mail, or money or other property of the United States, or any part thereof, or of robbing such person of such mail, or money or other property of the United States, or any part thereof, where the assault does not include the wounding of the person having custody of the mail, or money or other property of the United States, or the putting of his life in jeopardy by the use of a dangerous weapon.

(4) *Not exceeding two hundred dollars* for the arrest and conviction of any person on the charge of breaking into or attempting to break into a post office, or any building used in whole or in part as a post office, with intent to commit in such post office, or part of said building used as a post office, any larceny or other depredation. A post office station will be regarded as coming within the meaning of the term "post office" as used in this section.

[1] Public, No. 761, 74th Congress.

(5) *Not exceeding two hundred dollars* for the arrest and conviction of any person on the charge of stealing mail or any valuable thing contained therein, or money or other property of the United States, while being conveyed over any post route, or while in the custody of any mail messenger, or being conveyed to or from any railroad depot, or of robbing or stealing from the mail while it remains at any railroad depot awaiting transfer.

(6) *Not exceeding two hundred dollars* for the arrest and conviction of any person on the charge of stealing mail or any valuable thing contained therein, or money or other property of the United States, from or out of any mail, post office, or station thereof, or from any person properly having custody of any mail, money, or property as aforesaid, or of larceny from any letter box, street letter box, or other receptacle established, approved, or designated by the Postmaster General for the receipt of mail on any rural delivery route, star route, or other mail route, or from a box rented in a post office, or from any public receptacle or other authorized depository for mail.

(7) *Not exceeding two hundred dollars* for the arrest and conviction of any mail carrier on any mail messenger route or star route on the charge of embezzling or stealing mail or any valuable thing contained therein.

(8) *Not exceeding two hundred dollars* for the arrest and conviction of any person on the charge of mailing or causing to be mailed any bomb, infernal machine, or mechanical, chemical, or other device or composition which may ignite or explode, and which may kill or in any wise hurt, harm, or injure another, or damage, deface, or otherwise injure the mails or other property.

(9) For the arrest and conviction of any person as accessory to any of the offenses above mentioned, or for receiving or having unlawful possession of any mail, money, or property stolen from a post office, or from a station of a post office, or otherwise, as provided in this Notice of Reward, the same reward will be paid as for the arrest and conviction of the principal offender.

(10) When an offender is killed in the act of committing any of the crimes enumerated herein, or in resisting lawful arrest, the same reward may be paid as though he had been tried and convicted.

(11) When a person has been convicted of committing any offense enumerated herein, a reward may be paid, even though such person when arrested was charged with committing an offense not so enumerated.

(12) The reward that may be allowed under the offers made in the preceding paragraphs will be determined according to the circumstances surrounding the particular case and on the basis of the services personally rendered by each claimant. In deciding what amount should be paid, the importance and value of the service rendered, the character of the person arrested and convicted, the risks or hazards involved, the time consumed, the expenses incurred, and the efforts put forth, will govern. Maximum rewards will be paid only when the services performed were of maximum value.

(13) Separate applications should be made in writing to the Chief Post Office Inspector, Washington, D. C., by each person who claims a reward. Applications for reward should state the name of the offender, and the date and nature of the offense.

(14) Payment for services meriting a reward will be made, subject to the necessary appropriation, as aforesaid, upon presentation of satisfactory documentary evidence and after appropriate investigation. A claim will not be considered unless presented within three months from the date of conviction of an offender, or within three months from the date of his death, if he was killed in the act of committing a crime, or in resisting lawful arrest.

(15) In order that all claimants for reward in any case may have an opportunity to present their claims, the Department will not take final action until the time limit specified in the preceding paragraph has expired and the claims have been investigated.

(16) The Post Office Department reserves the right to reject a claim when the circumstances in the case do not justify the payment of a reward or when, in its opinion, there has been collusion, or when improper methods have been used to effect an arrest or to secure a conviction; and it also reserves the right to allow only one reward where several persons have been convicted of the same offense, or when one person has been convicted of several offenses, unless the circumstances, in its judgment, entitle the claimant to a reward for each conviction.

(17) All previous offers of reward are hereby rescinded except as they may apply to cases in which arrests were made prior to July 1, 1936.

[SEAL] JAMES A. FARLEY, *Postmaster General.*

[F. R. Doc. 1532—Filed, August 3, 1936; 11:40 a. m.]

DEPARTMENT OF THE INTERIOR.

General Land Office.

INSTRUCTIONS, EXCHANGE OF LANDS GRANTED TO CALIFORNIA FOR PARK PURPOSES FOR LANDS IN PRIVATE OWNERSHIP

JULY 13, 1936.

Register, United States Land Office, Los Angeles, California:

SIR: The act of Congress approved June 5, 1936, Public, No. 664, amended the act of March 3, 1933 (47 Stat. 1487), providing for the selection of lands within a certain area in the State of California for the use of the California State Park System, by adding at the end of said act the following proviso:

> Provided further, That in order to consolidate park areas and/or to eliminate private holdings therefrom, lands patented hereunder may be exchanged, subject to the mineral reservation in the United States as hereinbefore provided, with the approval of, and under rules prescribed by, the Secretary of the Interior for privately owned lands in the area hereinbefore described of approximately equal value containing the natural features sought to be preserved hereby, and the lands so acquired shall be subject to all the conditions and reservations prescribed by this Act, including the reversionary clause hereinbefore set out.

The object of this amendment is to permit the consolidation of park lands within the area involved. Under these provisions of the act the State of California, with the approval of the Secretary of the Interior and under the rules prescribed by the Secretary, may exchange lands, subject to the mineral reservation in the United States, which have been or may be patented to the State under said act of 1933, for privately owned lands within that area of approximately equal value containing the natural features sought to be preserved by said act. The lands to be acquired by the State through such exchange will be subject to the same conditions and reservations prescribed by said act including the reversionary clause.

A proposal for an exchange desired to be made by the State in accordance with these provisions of the act must be submitted to the Secretary of the Interior for consideration. Such proposal for exchange should be filed in your office together with an affidavit by the agent of the State showing that the lands patented to the State under said act and those desired to be acquired by the State in exchange are of approximately equal value, and that the tracts to be acquired contain characteristic desert growth and scenic or other natural features desired to be preserved as a part of the California State Park System.

Should the proposed exchange be approved by the Secretary of the Interior, the State will be advised thereof through your office with the request that a notice of the consummation of such exchange be filed in your office for transmission to this office, in order that the records may be properly noted in regard thereto.

Very respectfully,

FRED W. JOHNSON, *Commissioner.*

Approved, July 13, 1936.

T. A. WALTERS,
First Assistant Secretary.

[F. R. Doc. 1524—Filed, August 1, 1936; 9:33 a. m.]

[Circular No. 1398]

REGULATIONS GOVERNING FILING OF APPLICATIONS FOR EXCHANGES OF STATE LANDS UNDER THE TAYLOR GRAZING ACT AS AMENDED

JULY 22, 1936.

Registers, U. S. Land Offices:

SIRS: Subsections (c) and (d) of Section 8 of the Taylor Grazing Act, approved June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (Public, No. 827), read as follows:

(c) Upon application of any State to exchange lands within or without the boundaries of a grazing district the Secretary of the Interior shall, and is hereby, directed to proceed with such exchange at the earliest practicable date and to cooperate fully with the State to that end, but no State shall be permitted to select lieu lands in another State. The Secretary of the Interior shall accept on behalf of the United States title to any State-owned lands within or without the boundaries of a grazing district, and in exchange therefor issue patent to surveyed grazing district land not otherwise reserved or appropriated or unappropriated and unreserved surveyed public land; and in making such exchange the Secretary is authorized to patent to such State, land either of equal value or of equal acreage: *Provided*, That no State shall select public lands in a grazing district in furtherance of any exchange unless the lands offered by the State in such exchange lie within such grazing district and the selected lands lie in a reasonably compact body which is so located as not to interfere with the administration or value of the remaining land in such district for grazing purposes as set forth in this Act.

When an exchange is based on lands of equal acreage and the selected lands are mineral in character, the patent thereto shall contain a reservation of all minerals to the United States; and in making exchanges of equal acreage the Secretary of the Interior is authorized to accept title to offered lands which are mineral in character, with a mineral reservation to the State.

For the purpose of effecting exchanges based on lands of equal acreage the identification and area of unsurveyed school sections may be determined by protraction or otherwise. The selection by the State of lands in lieu of any such protracted school sections shall be a waiver of all of its right to such sections.

(d) Before any such exchange under this section shall be effected, notice of the contemplated exchange, describing the lands involved, shall be published by the Secretary of the Interior once each week for four successive weeks in some newspaper of general circulation in the county or counties in which may be situated the lands to be accepted, and in the same manner in some like newspaper published in any county in which may be situated any lands to be given in such exchange; lands conveyed to the United States under this Act shall, upon acceptance of title, become public lands, and if located within the exterior boundaries of a grazing district they shall become a part of the district within the boundaries of which they are located: Provided, That either party to an exchange based upon equal value under this section may make reservations of minerals, easements, or rights of use. Where reservations are made in lands conveyed either to or by the United States the right to enjoy them shall be subject to such reasonable conditions respecting ingress and egress and the use of the surface of the land as may be deemed necessary. Where mineral reservations are made by the grantor in lands conveyed by the United States, it shall be so stipulated in the patent, and any person who prospects for or acquires the right to mine and remove the reserved mineral deposits may enter and occupy so much of the surface as may be required for all purposes incident to the prospecting for, mining and removal of the minerals therefrom, and may mine and remove such minerals, upon payment to the owner of the surface for damages caused to the land and improvements thereon. No fee shall be charged for any exchange of land made under this Act except one-half of the cost of publishing notice of a proposed exchange as herein provided.

1. *Application for Exchange.*—Section 8 of the act, as amended, authorizes exchanges of lands between the United States and a State, upon the application of a State, and provides for the issuance of patent for the selected lands upon acceptance of title to the lands conveyed to the United States in exchange therefor. Lands offered in exchange by a State may be lands owned by the State within or without the boundary of a grazing district, and the selected lands may be an equal value or an equal area of surveyed grazing district lands not otherwise appropriated or reserved, or unappropriated and unreserved surveyed public lands of the United States, within the same State. If, however, the selected lands are within a grazing district, the lands offered by the State in exchange must be within the same grazing district and such selected lands must lie in a reasonably compact body so as not to interfere with the administration or value of the remaining lands in the district for grazing purposes.

When an exchange is based on equal values, the values of both offered and selected lands are to be determined by the Secretary of the Interior, consideration being given to any reservations of minerals or easements which may be made by the State or the United States.

When mineral lands are selected in an exchange based upon equal acreage, the patent will contain a reservation of all minerals to the United States, and in any exchanges based upon equal acreage, the State may offer mineral lands owned by the State, with a mineral reservation to the State.

Unsurveyed school sections within or without the boundary of a grazing district may be offered by the State in an exchange based upon equal areas, but no mineral reservations to the State may be made in such unsurveyed sections, the identification of which will be determined by protraction or otherwise, the State by such selections waiving all rights to the unsurveyed sections.

School sections, surveyed or unsurveyed, included within national forests, national parks and monuments, Indian or other reservations or withdrawals, may not be offered as a basis for exchange under said section 8 of the Taylor Grazing Act as amended.

Payment of fees will not be required in the case of any exchange, but the State will be required to pay one-half of the cost of publishing notice of a proposed exchange.

A State desiring to exchange lands under the provisions of this act should file application, in triplicate, in the district land office having jurisdiction over the selected lands, or in the General Land Office when there is no United States district land office within the State. Such application should describe the lands offered to the Government as well as those selected in exchange, by legal subdivisions of the public land surveys or by entire sections, and nothing less than a legal subdivision may be surrendered or selected. The application for exchange should identify the grazing district in which the offered or selected lands are situated, if in a grazing district, should state whether the proposed exchange is to be based upon equal values or equal areas, and if based upon equal values should state whether or not any reservations of minerals, easements, or other rights of use in or to the offered lands are desired, and what use thereof is contemplated. Also when the application is based upon equal values it should show the reservations or easements which are acceptable to the State and which are to be made by the United States affecting the selected lands. Each application for an exchange must be accompanied by the following certificate and affidavit:

A. A certificate by the selecting agent showing that the selection is made under and pursuant to the laws of the State; that the lands selected and the lands relinquished are approximately of equal value (unless the exchange is based on equal areas); that the State is the owner of the lands offered in exchange (unless the offered lands are unsurveyed); that the offered lands are not the basis of another selection or exchange, and that the selected lands are unappropriated and are not occupied, claimed, improved, or cultivated by any person adversely to the State.

B. A corroborated affidavit relative to springs and water holes on the selected lands in accordance with existing regulations pertaining thereto.

2. *Action by the Register.*—If the application for exchange appears regular and in conformity with the law and these regulations, the Register will assign the current serial number thereto, and, after making appropriate notations upon his records, will transmit the original and triplicate copies of the application to the General Land Office, together with a report as to any conflicts of record, and, if the selected lands are within a grazing district, will transmit the duplicate copy of the application to the Director of Grazing, who will report to the Commissioner of the General Land Office as to whether in his opinion the selected lands are so located as not to interfere with the administration or value of the remaining lands in the district for grazing purposes within the meaning of the act.

An application for exchange will be noted "suspended" by the Register and unless disallowed, the lands applied for

in exchange will be segregated upon the records of the district land office and General Land Office, and will not be subject to other appropriation, application, selection, or filing.

Circular No. 1384, approved April 15, 1936, is hereby revoked in so far as it pertains to exchanges by a State under section 8 of the Grazing Act as amended.

3. *Action of the General Land Office.*—When an exchange is based upon equal values, upon receipt of a favorable report from the Director of Grazing (where the selected lands are within a grazing district), all else being regular, the Commissioner of the General Land Office will transmit the triplicate copy of the application to the Director of the Division of Investigations with a request that a field investigation be made for the purpose of determining the values of the offered and selected lands; whether the selected lands are occupied, improved, cultivated or claimed by any one adversely to the State; whether the selected lands contain minerals, timber, springs, water holes, hot or medicinal springs, or any special features which should be considered in acting on the application; and whether the reservation which the State desires to make in the offered lands, if any, together with the contemplated use of such reservation, will in any way affect adversely the administration of the grazing district, if the offered lands are within a grazing district. The field examination should be made as soon as possible, and report and special recommendation should be submitted to the General Land Office.

When an exchange is based upon equal areas, if a field examination is found necessary to determine the character of the selected lands as to mineral or springs or water holes, the Director of the Division of Investigations will be requested to have a field investigation made for either or both of such purposes.

4. *Additional Evidence Required.*—When the field investigation report is received and an exchange of equal values has been established, or, in the case of an equal area exchange, where no field investigation is found necessary, the Commissioner of the General Land Office, unless he has reason to do otherwise, will, with the approval of the Secretary of the Interior, issue notice for publication of the contemplated exchange, and will require the State, through the register of the district land office, to submit proof of publication of notice, a duly recorded deed of conveyance of the offered lands (unless such offered lands are unsurveyed), a certificate of the proper State officer showing that the offered lands have not been sold or otherwise encumbered by the State, and a certificate by the recorder of deeds or official custodian of the records of transfers of real estate, in the proper county, or by an abstractor or abstract company approved by the General Land Office, that no instrument purporting to convey or in any way encumber title to the offered land is of record or on file in his office. Where reservations of any kind are made in the offered lands, complete description thereof should be furnished. If, however, the offered lands were ever held in private ownership and were acquired by the State from such source, it will be necessary for the State to furnish an abstract of title showing that at the time the deed of conveyance to the United States was recorded the title to the lands covered by such deed was in the State making the conveyance, a certificate that the lands so conveyed were free from judgments or mortgages, liens, pending suits, tax assessments, or other encumbrances, except such reservations as may be made in the lands conveyed, and a certificate by the proper official of the county in which the lands conveyed are situated showing that all taxes levied or assessed against the lands conveyed to the United States, or that could operate thereon as a lien, have been fully paid or that no taxes have been levied, or whether there is a tax due on such lands that could operate as a lien thereon but which tax is not yet payable, and that there are no unredeemed tax sales and no tax deeds outstanding against such lands conveyed to the United States.

5. *Deed of Conveyance.*—The deed of conveyance to the United States must be executed, acknowledged, and duly recorded in accordance with the laws of the State making the exchange, and must be accompanied by a certificate of the proper State officer showing that the officer executing the conveyance was authorized to do so under the State law. The deed should recite that it is made "for and in consideration of the exchange of certain lands, as authorized by section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended."

6. *Abstract of Title.*—The abstract of title when required must show that the title memoranda contained therein are a full, true, and complete abstract of all matters of record or on file in the office of the recorder of deeds and in the offices of the clerks of courts of record of that jurisdiction, including all conveyances, mortgages, pending suits, judgments, liens, lis pendens, or other encumbrances or instruments which are required by law to be filed with the recording officer and which appear in the records of the offices of the clerks of courts of record affecting in any manner whatsoever the title to the land to be conveyed to the United States. The abstract of title may be prepared and certified by the recorder of deeds or other proper officer under his official seal, or it may be prepared and authenticated by an abstractor or by an abstract company, approved by the General Land Office, in accordance with section 42 of the mining regulations of April 11, 1922 (49 L. D. 15, 69).

7. *Taxes.*—In case the land conveyed to the United States has been held in private ownership and taxes have been assessed or levied thereon, and such taxes are not due and payable until some future date, the State, in addition to the certificate above required relative to taxes and tax assessments, may furnish a bond with qualified corporate surety for the sum of twice the amount of taxes paid on the land for the previous year in order to indemnify the United States against loss for the tax as assessed or levied but not yet due and payable. In lieu of the bond the State may submit a sum similar to that required in the bond, and if and when proper evidence is furnished showing the taxes on the land conveyed have been paid in full, the said sum will be returned to the State.

8. *Publication of Notice.*—The publication notice must give the name of the State making application, the serial number and date of the application, act under which application is filed, describe both the offered and selected lands (except that where the offered lands are unsurveyed no notice of such lands will be required) in terms of legal subdivisions of the public land surveys, and state that the purpose of the notice is to allow all persons claiming the selected lands or having bona fide objections to such exchange an opportunity to file their protests or other objections in the district land office, or in the General Land Office, together with evidence that a copy of such protest or objection has been served upon the State. Such notice must be published once a week for four consecutive weeks in some designated newspaper of general circulation in the county or counties in which may be situated the lands offered to the United States, and in the same manner in some like newspaper published in any county in which may be situated any lands to be selected in exchange. In the event of the designation of a daily newspaper, the publication should be made in the Wednesday issue thereof. A similar notice will be posted in the district land office during the required period of publication. Such notice for publication will be sent by the General Land Office to the register for forwarding by him to the applicant with instructions for publication in the newspaper or newspapers designated, but where there is no United States land office in the State applying for the exchange, the notice will be sent direct to the State with instructions for publication in the newspaper designated. Proof of publication of notice shall consist of an affidavit by the publisher, or foreman, or other proper employee of the newspaper, showing the dates of publication, and attaching thereto a copy of the notice as published. The register shall transmit such evidence of publication to this office with his report as to whether or not protests or contests have been filed against the proposed exchange, and shall certify as to the posting of notice in his office.

The State will be responsible for payment of one half the cost of publication, and the publisher should bill the Commissioner of the General Land Office for the other half, in

accordance with instructions contained in the advertising order accompanying the notice for publication.

9. *Further Action by General Land Office.*—The publication of notice, conveyance, abstract of title, and other evidence required of the State will, upon receipt in the General Land Office, be examined, and if found regular and in conformity with law, and there are no objections, title will be accepted to the offered land and patent will issue for the land selected in exchange.

Should the report from the Director of the Division of Investigations, upon field investigation, disclose inequalities of value, the Commissioner of the General Land Office will advise the State and afford opportunity for adjustment so as to bring the exchange within the provisions of the law.

In the case of an equal area exchange, should the report of the Division of Investigations show that the selected lands are mineral in character, the State will be required to file consent to the reservation of all minerals therein to the United States. In making exchanges based upon equal areas, when the offered lands are mineral in character and the State holds title thereto, the State may, if desired, reserve the mineral rights in such offered lands in accordance with the provisions of paragraph 2 of subsection (c) of section 8 of the act.

Notices of additional requirements, rejection, or other adverse action will be given, and the right of appeal, review, or rehearing recognized in the manner now prescribed by the Rules of Practice. Protests against exchanges should be filed in the district land office, from where they will be transmitted to the General Land Office for consideration and disposal.

Should the application for exchange be finally rejected or the selection canceled for any reason, any abstract of title filed will be returned to the State, and the State will be advised of its right to apply for a quitclaim deed under existing law for the land conveyed to the United States.

10. *State School Lands.*—It is provided in section 1 of the act that

> Nothing in this Act shall be construed in any way to diminish, restrict, or impair any right which has been heretofore or may be hereafter initiated under existing law validly affecting the public lands, and which is maintained pursuant to such law except as otherwise expressly provided in this Act, nor to affect any land heretofore or hereafter surveyed which, except for the provisions of this Act, would be a part of any grant to any State, nor as limiting or restricting the power or authority of any State as to matters within its jurisdiction.

The words "Nothing in this Act shall be construed in any way * * * to affect any land heretofore or hereafter surveyed which, except for the provisions of this Act, would be a part of any grant to any State" were obviously intended to preserve school sections, both surveyed and unsurveyed, included within the boundaries of a grazing district established under the provisions of the Taylor Grazing Act, in exactly the same status for the purpose of any grant to any State as the lands would have had had the Taylor Grazing Act not been passed and had the lands not been included in the grazing district.

A grazing district is not a reservation within the meaning of the act of February 28, 1891 (26 Stat. 796), and, therefore, school sections, surveyed or unsurveyed, within a grazing district are not for that reason only valid base for indemnity school land selections under said act of 1891. The inclusion of unsurveyed school sections within a grazing district will not prevent the title to such lands from vesting in the State upon the acceptance of the plat of survey thereof by the Commissioner of the General Land Office.

Granted school sections owned by a State within or without the boundaries of a grazing district may be assigned by the State as a basis for an equal value, or equal area exchange, an unsurveyed school sections within or without the boundaries of a grazing district may be assigned by the State as a basis for an equal area exchange, as provided in subsection (c) of section 8 of the Taylor Grazing Act, as amended.

This circular supersedes Circular No. 1346, in so far as State exchanges are concerned.

State applications for exchange pending at the date of said act of June 26, 1936, will be governed by the provisions of the act of June 28, 1934, as amended by the act of 1936, and these regulations.

Very respectfully,

FRED W. JOHNSON, *Commissioner.*

Approved, July 22, 1936.

T. A. WALTERS,
First Assistant Secretary.

[F. R. Doc. 1525—Filed, August 1, 1936; 9:34 a. m.]

[Circular No. 1399]

REGULATIONS GOVERNING EXCHANGES OF STATE SCHOOL LANDS IN CERTAIN COUNTIES OF ARIZONA FOR PUBLIC LANDS OF THE UNITED STATES WITHIN SAID COUNTIES

JULY 21, 1936.

Register, United States Land Office, Phoenix, Arizona.

SIR: Section 3 of the Act of June 14, 1934 (48 Stat. 960), entitled "An Act to define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes", provides as follows:

> Upon the completion of exchanges and consolidations authorized by section 2 of this Act, the State of Arizona may, under rules and regulations to be prescribed by the Secretary of the Interior, relinquish to the United States such of its remaining school lands in Coconino, Navajo, and Apache Counties as it may see fit; and shall have the right to select from the vacant, unreserved, and non-mineral public lands in said counties lieu lands equal in value to those relinquished without the payment of fees or commissions.

Section 2 of said act contains the following provision:

> The State of Arizona may relinquish such tracts of school land within the boundary of the Navajo Reservation, as defined by section 1 of this Act, as it may see fit in favor of said Indians, and shall have the right to select other unreserved and non-mineral public lands, contiguous or noncontiguous, located within the three counties involved, equal in value to that relinquished, said lieu selections to be made in the same manner as is provided for in the Arizona Enabling Act of June 20, 1910 (36 Stat. L. 558), except as to the payment of fees or commissions which are hereby waived.

In a letter approved by the Assistant Secretary of the Interior on May 28, 1936, this office was advised by the Commissioner of Indian Affairs that the State of Arizona has relinquished all of its lands within the Indian Reservation, and it was requested that regulations be issued authorizing the State of Arizona to make exchanges under section 3 of said act.

1. Applications for selection by the State of Arizona in lieu of any remaining school lands within Coconino, Navajo, and Apache Counties, under the provisions of section 3 of this act, may be filed by the proper officers of the State, accompanied with the following affidavits and certificate:

(a) An affidavit as to the nonmineral and nonsaline character of the land applied for, showing that said land is unappropriated and is not occupied and does not contain improvements placed thereon by any Indian.

(b) A certificate of the selecting agent showing that the selection is made under and pursuant to the laws of the State.

(c) A corroborated affidavit relative to springs and water holes upon the land applied for, in accordance with existing regulations pertaining thereto.

(d) An affidavit that the lands relinquished and the lands selected are equal in value.

2. The exchange must be made by legal subdivisions or by entire sections, of equal value, and administration will be facilitated if an application for exchange does not include more than approximately 6,400 acres of selected lands, the area of the base lands assigned thereto being dependent upon the value thereof as compared with the value of the selected lands. The application should describe the land to be conveyed as well as the land selected, and nothing less than a legal subdivision may be surrendered or selected. Payment of fees or commissions will not be required in connection with such applications.

3. If the application for exchange appears regular and in conformity with the law and these regulations, you will assign a current serial thereto and at once transmit the application

to this office with your report as to whether or not the selected lands are free from conflict, adverse filing, entry, or claim thereto.

4. Upon receipt of the application in this office, if all be found regular, a report will be requested from the Geological Survey as to the mineral or nonmineral character of the selected lands, and a report from the Division of Grazing, as to water holes, springs, and power possibilities in regard to the selected lands. A field examination and report will also be requested of the Division of Investigations as to both selected and base lands to determine whether or not their value is equal within the meaning of this act.

5. Upon receipt of satisfactory reports from the Geological Survey, the Division of Grazing, and the Division of Investigations, and no objection appearing, this office will issue notice for publication of the selection and will require the State to file proof of publication thereof, also a deed of conveyance of the offered lands, duly recorded, a certificate of the proper State officer showing that the offered lands have not been sold or otherwise encumbered by the State, and a certificate by the recorder of deeds or official custodian of the records of transfers of real estate, in the proper county, or by an abstractor or abstract company approved by the General Land Office, that no instrument purporting to convey or in any way encumber title to the offered land is of record or on file in his office. If, however, the offered lands were ever held in private ownership and were acquired by the State from such source, it will be necessary for the State to furnish an abstract of title showing that at the time the deed of conveyance to the United States was recorded the title to the lands covered by such deed was in the State making the conveyance, a certificate that the lands so conveyed were free from judgments or mortgages, liens, pending suits, tax assessments, or other encumbrances, and a certificate by the proper official of the county in which the lands conveyed are situated showing that all taxes levied or assessed against the lands conveyed to the United States, or that could operate thereon as a lien, have been fully paid or that no taxes have been levied, or whether there is a tax due on such lands that could operate as a lien thereon but which tax is not yet payable, and that there are no unredeemed tax sales and no tax deeds outstanding against such lands conveyed to the United States.

The deed of conveyance to the United States must be executed, acknowledged, and duly recorded in accordance with the laws of the State and must be accompanied with a certificate of the proper State officer showing that the officer executing the conveyance is authorized to do so under the laws of the State. The deed should recite that it is made "for and in consideration of the exchange of certain lands as authorized by section 3 of the act of June 14, 1934 (48 Stat. 960)."

Notice of the selection must be published at the expense of the State once a week for four consecutive weeks in some designated newspaper of general circulation in the County or Counties in which the selected lands may be situated. In the event of the designation of a daily newspaper, the publication should be made in the Wednesday issue thereof. A similar notice will be posted in your office during the entire period of publication. The notice for publication will be sent to your office to be forwarded to the State officer with instructions for publication in the newspaper or newspapers designated.

Proof of publication of notice shall consist of an affidavit by the publisher, or foreman, or other proper employee of the newspaper, showing the dates of publication, and attaching thereto a copy of the notice as published. You will transmit such evidence of publication to this office with your report as to whether or not protests or contests have been filed against the selection, certifying as to the posting of notice in your office. Any protests against the selection should be filed in your office and transmitted to this office for consideration and disposal.

6. Upon receipt in this office of satisfactory proof of publication of notice and deed of conveyance with the required certificates, should no objection appear of record, the exchange selection will be embraced in a clear list and submitted to the Secretary of the Interior with recommendation for approval with a view to the certification to the State of the selected lands.

In the case of an unfavorable report from the Division of Investigations, opportunity will be given the State to amend the application or to make such showing as may be desired. Notice of additional requirements, rejection, or other adverse action will be given and the right of appeal, review, or rehearing recognized in the manner now prescribed by the Rules of Practice.

Very respectfully,

FRED W. JOHNSON, *Commissioner.*

I concur, July 16, 1936.

WILLIAM ZIMMERMAN, Jr.
Acting Commissioner of Indian Affairs.

Approved, July 21, 1936.

T. A. WALTERS,
First Assistant Secretary.

[F. R. Doc. 1526—Filed, August 1, 1936; 9:35 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

S. R.—B-1, Revised—Supplement (p)

1936 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN NO. 1, REVISED—SUPPLEMENT (P)

Subsection (d) of section 2, subsection (b) of section 3, and sections 4, 5, 6, and 7, of part V, of Southern Region Bulletin No. 1, Revised,[1] are hereby amended to read as follows and the following new section 8 is hereby added to said part of said bulletin:

SECTION 2. *Application and Eligibility for Grant.*—(d) If any person owns or operates more than one farm in a county such person may make separate application(s) with respect to any or all such farms. Except as provided in section 8 of this part V, the land to be covered by an application for payment shall be the land covered by a work sheet (as specified in section 1 of this part V); *Provided, however,* That a separate application shall be made for the payment with respect to rice which shall include the applicant's interest in all rice farms in the State. The application for payment filed with respect to any land shall show the name and the extent of the interest of each person entited to share in the payment with respect to such land; and the amount of payment to any person with respect to the land covered by the application for payment shall, subject to the provisions of section 4 of this part V, be determined by the performance on such land.

SECTION 3. *Division of Soil-Conserving and Soil-Building Payments.*—(b) *Soil-building payment.*—The soil-building or class II payment with respect to the acreage on which any approved soil-building practice is carried out on any farm shall be made to the eligible person who the county committee determines, under instructions issued by the Secretary, has incurred the expense in 1936 of carrying out such soil-building practice; where the county committee, in accordance with such instructions, determines that two or more persons have shared in the expense incurred in carrying out such soil-building practice on the farm, the soil-building payment calculated for the particular acreage with respect to which such persons shared in such expense shall be divided equally among them.

SECTION 4. *Multiple Farm Holdings.*—If the State Agricultural Conservation Committee finds, from the applications submitted to it and from any other information relative to performance in 1936 presented to it, that any person making application for a payment in that State:

(1) has an interest, as owner or operator, in one or more other farms in the same county from which such application is submitted;

(2) has adopted practices which tend to defeat the purposes of the 1936 Agricultural Conservation Program; and

(3) that the application of sections 5, 6, and 7 of this part V would result in a decreased payment to such person.

any payment to be made to such person in 1936 shall (subject to section 8 of part II) be calculated in accordance with the provisions of sections 5, 6, and 7 of this part V.

SECTION 5. *Amount of Soil-Conserving Payment where Two or More Farms Are Owned or Operated in One County.*—If a person owns or operates more than one farm in a county, the amount of the soil-conserving payment (including also the payment with respect to sugarcane for sugar but not including the payment with

[1] 1 F. R. 281.

respect to rice) to such person shall, subject to the provisions of section 4 of this part V, be computed as follows:

(a) For each such farm in the county—

(1) Multiply the number of acres diverted from the *general* soil-depleting base to soil-conserving crops by the rate determined for such farm pursuant to the provisions of section 2 (a) of part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with section 3 of this part V;

(2) Multiply the number of acres diverted from the *cotton* soil-depleting base to soil-conserving crops by the rate determined for such farm pursuant to the provisions of section 2 (b) of part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with section 3 of this part V;

(3) Multiply the number of acres diverted from the *tobacco* soil-depleting base to soil-conserving crops by the rate determined for such farm pursuant to the provisions of section 2 (c) of part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with section 3 of this part V;

(4) Multiply the number of acres diverted from the *peanut* soil-depleting base to soil-conserving crops by the rate determined for such farm pursuant to the provisions of section 2 (d) of part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with section 3 of this part V;

(5) Multiply the acreage allotment of *sugarcane for sugar* by the rate per acre determined for such farm pursuant to the provisions of section 3 of part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with section 3 of this part V;

(6) Add the amounts thus obtained for all such farms.

(b) For each such farm in the county on which there has been—

(1) An increase in 1936 in the total acreage of the crops in the *general* soil-depleting base over the general soil-depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of section 2 (a) of part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with section 3 of this part V. If the total obtained under this paragraph (1) is in excess of the total obtained under paragraph (1) of subsection (a) of this section 5, no part of such excess shall be included in the total obtained in paragraph (6) of this subsection (b);

(2) An increase in 1936 in the acreage of *cotton* over the cotton soil-depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of section 2 (b) of part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with section 3 of this part V;

(3) An increase in 1936 in the acreage of *tobacco* over the tobacco soil-depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of section 2 (c) of part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with section 3 of this part V;

(4) An increase in 1936 in the acreage of *peanuts* harvested as nuts over the peanut soil-depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of section 2 (d) of part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with section 3 of this part V;

(5) An increase in 1936 in the total acreage of *sugarcane for sugar* over the sugarcane for sugar soil-depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of section 2 (a) of part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with section 3 of this part V;

(6) Add the amounts thus obtained for all such farms.

(c) The amount by which the total obtained under subsection (a) of this section 5 exceeds the total obtained under subsection (b) of this section 5 shall be the gross amount of soil-conserving payment (including also the payment with respect to sugarcane for sugar but not including the payment with respect to rice) to such person with respect to such farms in that county: *Provided*, That—

(1) The total amount of soil-conserving payment to any person for diversion from the *general* soil-depleting bases to soil-conserving crops shall not exceed the sum of his shares (determined in accordance with the provisions of section 3 of this part V) of the maximum soil-conserving payment, as specified in section 2 (a) of part II, for each such farm in the county; and

(2) The total amount of the soil-conserving payment to any person for diversion from *cotton*, *tobacco*, and *peanut* soil-depleting bases, respectively, to soil-conserving crops shall not exceed the sum of his shares (determined in accordance with the provisions of section 3 of this part V) of the maximum soil-conserving payment with respect to *cotton*, *tobacco*, and *peanuts*, respectively, as specified in sections 2 (b), 2 (c), and 2 (d), respectively, of part II, for each such farm in the county.

(d) If the total obtained under subsection (b) of this section 5 is greater than the total obtained under subsection (a) of this section 5, the difference shall be deducted from any payment which otherwise would be made to such person for performance on farms owned or operated in the county by such person in 1936 and any remaining part of such excess shall be deducted from any payment which otherwise would be made to such person with respect to *rice* in the State.

SECTION 6. *Amount of Soil-Building Payment Where Two or More Farms Are Owned or Operated in One County.*—If a person is the owner or share tenant on more than one farm in a county and makes application for a payment with respect to any such farm the amount of soil-building payment to such person shall, subject to the provisions of section 4 of this part V, be computed as follows:

(a) For each such farm which is covered by an application for payment, multiply the number of acres for which such person is entitled to receive a soil-building payment for having incurred a part or all of the expense in carrying out each approved soil-building practice by the rate per acre specified for such practice.

(b) Add the amounts obtained under subsection (a) of this section 6.

(c) For each such farm which is covered by an application for payment, credit to such person the difference between the soil-building allowance and the total of the soil-building payment for all other persons thereon computed in accordance with section 3 of this part V and adjusted, if necessary, so as not to exceed the soil-building allowance for the farm; *except* that, if payment is being computed for an owner and any share tenant(s) on the same farm pursuant to this section 6, there shall be credited to each such share tenant only that amount which is equal to the soil-building payment computed for him in accordance with section 3 of this part V and adjusted, if necessary, so as not to exceed the soil-building allowance for the farm.

(d) Add the amounts credited to such person as provided under subsection (c) of this section 6.

(e) The amount obtained for such person under subsection (b) of this section 6 or subsection (d) of this section 6, whichever is the smaller, shall, subject to the deductions provided for in subsection (d) of section 5 of this part V, be the amount of soil-building payment to such person with respect to such farms in that county.

SECTION 7. *Deduction from Soil-Conserving Payment for Failure to Have Minimum Acreage of Soil-Conserving Crops Where Two or More Farms Are Owned or Operated in One County.*—If the total acreage of soil-conserving crops on all farms owned or operated by any person in a county in 1936 is less than the total minimum acreage of soil-conserving crops computed pursuant to section 6 of part II, for all such farms, a deduction computed as follows shall (subject to the provisions of section 4 of this part V) be made from any soil-conserving payment which otherwise would be made to such person:

(a) Add the minimum acreage of soil-conserving crops for all farms in the county which are owned or operated by such person, computed pursuant to section 6 of part II, and from the result thus obtained subtract the total acreage of soil-conserving crops in 1936 on all such farms.

(b) Obtain the total of such person's shares in the soil-conserving payment for all such farms as are covered by an application for payment computed pursuant to section 3 of this part V. Compute the percentage which this amount is of the total of the soil-conserving payment for all such farms.

(c) Multiply the number of acres obtained under subsection (a) of this section 7 by the percentage obtained under subsection (b) of this section 7.

(d) Multiply the result obtained under subsection (c) of this section 7 by an amount equal to one and one-half times the rate per acre for the farm owned or operated by such person in the county which has the highest rate determined pursuant to the provisions of section 2 (a) of part II.

SECTION 8. *Optional Method of Determining Performance and Computing Payments with Respect to Two or More Farms in a County Operated by the Same Person.*—If any person operates more than one farm in a county such person may, at his option and subject to the conditions hereinafter set forth, make one or more applications for payment with respect to such farms, each such application covering one or more of such farms, in lieu of the method of submitting applications provided for under subsection (d) of section 2 of this part V, except that a separate application shall be made for the payment with respect to rice, which shall include the applicant's interest in all rice farms in the State.

(a) An application for payment covering two or more farms in a county which are operated by the same person may be made *only* (1) with the consent (signified by signatures on the application) of all persons who, as owner, share tenant, or sharecropper, have an interest in the crops (or the proceeds thereof) grown in 1936 on any farm covered by the application; except that the signature of any such person shall not be required in order to permit such a grouping of such farms if such person could not have received a payment in case each such farm had been covered by a separate application for payment; and (2) if every farm in the county operated by such person is covered by an application for payment under which a soil-conserving payment could be made.

(b) In determining the applicable division of the soil-conserving payment, in accordance with the provisions of section 3 of this part V, and in making determinations with respect to the amount of payment to be made under such application, all farms covered by one application for payment shall be considered as one farm.

(c) The base yield per acre of cotton, tobacco, peanuts, and sugarcane for sugar, and the productivity index for the farms for which such application is submitted, shall be the average of the yields per acre of cotton, tobacco, peanuts, and sugarcane for sugar, respectively, and of the productivity indices for such farms, weighted by the applicable cotton soil-depleting bases, tobacco soil-depleting bases, peanut soil-depleting bases, acreage allotments of sugarcane for sugar, and the general soil-depleting bases.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 31st day of July 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1527—Filed, August 1, 1936; 12:29 p. m.]

ORDER POSTPONING REOPENING OF HEARING WITH RESPECT TO A PROPOSAL TO AMEND ORDER NO. 4 REGULATING THE HANDLING OF MILK IN THE GREATER BOSTON, MASSACHUSETTS, MARKETING AREA, AND WITH RESPECT TO A PROPOSAL TO AMEND THE MARKETING AGREEMENT TENTATIVELY APPROVED JANUARY 18, 1936

Whereas, H. A. Wallace, Secretary of Agriculture of the United States, on July 29, 1936, issued a notice[1] of the reopening of a hearing with respect to a proposal to amend order No. 4 regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, and with respect to a proposal to amend the marketing agreement tentatively approved January 18, 1936, said hearing to be held in the Chamber of the House of Representatives, State House, Concord, New Hampshire, on August 3, 1936, at 9:00 a. m., e. s. t.; and

Whereas, the undersigned deems it necessary and advisable to postpone the holding of such hearing until further notice;

Now, Therefore, it is hereby ordered that the holding of the hearing hereinabove set forth be postponed until further notice, and it is further ordered that the Hearing Clerk, Office of the Solicitor, and the Press Section, Division of Information, Agricultural Adjustment Administration, take appropriate steps to inform interested parties of such postponement, in accordance with the manner prescribed by the General Regulations, Agricultural Adjustment Administration, Series A, Governing Notice and Opportunity for Hearing upon Marketing Agreement and Orders and their Execution and Issuance.

In witness whereof, H. A. Wallace, Secretary of Agriculture of the United States, does hereby execute this order in duplicate and does cause the official seal of the Department of Agriculture to be affixed hereto in the City of Washington, District of Columbia, this 31st day of July 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1528—Filed, August 1, 1936; 12:30 p. m.]

FEDERAL TRADE COMMISSION.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[File No. 21-271]

IN THE MATTER OF TRADE PRACTICE CONFERENCE RULES FOR THE RUBBER TIRE INDUSTRY

NOTICE OF OPPORTUNITY TO OFFER SUGGESTIONS OR OBJECTIONS

This matter now being before the Federal Trade Commission under its Trade Practice Conference procedure, in pursuance of the Act of Congress approved September 26, 1914 (38 Stat. 717; 15 U. S. C. A., Section 41);

Opportunity is hereby extended by the Federal Trade Commission to any and all persons affected by or having an interest in the trade practice conference rules for the Rubber Tire Industry, as tentatively approved by the Commission, to present to the Commission their views upon the same, including suggestions or objections, if any. For this purpose they may, upon application to the Commission, obtain copies of these rules. Communications of such views should be made to the Commission at its offices in Washington, D. C., 815 Connecticut Avenue NW., not later than Tuesday, August 18, 1936. After giving due consideration to such suggestions or objections as may be received concerning these rules, the Commission will proceed to their final consideration.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

Entered, July 31, 1936.

[F. R. Doc. 1533—Filed, August 3, 1936; 12:51 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 31st day of July A. D. 1936.

[File No. 2-2031]

IN THE MATTER OF REGISTRATION STATEMENT OF AMERICAN KID COMPANY

ORDER FIXING TIME AND PLACE OF HEARING UNDER SECTION 8 (D) OF THE SECURITIES ACT OF 1933, AS AMENDED, AND DESIGNATING OFFICER TO TAKE EVIDENCE

It appearing to the Commission that there are reasonable grounds for believing that the registration statement filed by American Kid Company under the Securities Act of 1933, as amended, includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading.

It is ordered, that a hearing in this matter under Section 8 (d) of said Act, as amended, be convened on August 10, 1936, at 10 o'clock in the forenoon, in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C., and continue thereafter at such times and places as the officer hereinafter designated may determine; and

It is further ordered, that Charles S. Lobingier, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1541—Filed, August 3, 1936; 12:55 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 27th day of July A. D. 1936.

[1] 1 F. R. 1041.

[File No. 2-2133]

IN THE MATTER OF REGISTRATION STATEMENT OF INTERNATIONAL TELEVISION RADIO CORPORATION

ORDER CHANGING DESIGNATION OF OFFICER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

The Commission having heretofore, on July 16, 1936, designated Charles S. Moore, an officer of the Commission, to take testimony at a hearing to be held in this matter, under Section 8 (d) of the Securities Act of 1933, as amended, on July 28, 1936, and

The registrant having requested a postponement of such hearing,

It is ordered, that such designation of the said Charles S. Moore is hereby rescinded, and

It is further ordered, that the hearing in this matter be held on August 3, 1936, at 10 o'clock in the forenoon, in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D C., and continue thereafter at such times and places as the officer hereinafter designated may determine; and

It is further ordered, that John H. Small, an officer of the Commission, be, and he hereby is, designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1542—Filed, August 3, 1936; 12:55 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 30th day of July 1936.

[File No. 2-293]

IN THE MATTER OF OLD MONROE BREWING ASSOCIATION

STOP ORDER

This matter coming on to be heard by the Commission on the registration statement of Old Monroe Brewing Association, 418 Olive Street, St. Louis, Missouri, after confirmed telegraphic notice by the Commission to said registrant that it appears that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading, and upon the evidence received upon the allegations made in the notice of hearing duly served by the Commission on said registrant and the Commission having duly considered the matter, and finding that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading in items 21, 22, 23, 24, 39, 45, 46, and the prospectus, all as more fully set forth in the report of the Trial Examiner of the Commission, whose findings are hereby adopted by the Commission, and the Commission being now fully advised in the premises,

It is ordered, pursuant to Section 8 (d) of the Securities Act of 1933, as amended, that the effectiveness of the registration statement filed by Old Monroe Brewing Association, 418 Olive Street, St. Louis, Missouri, be, and the same hereby is, suspended.

By direction of the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1540—Filed, August 3, 1936; 12:55 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of July A. D. 1936.

[Filed on July 25, 1936]

IN THE MATTER OF THOMAS D. BROWN & CO., OFFERING SHEET OF A ROYALTY INTEREST IN MOORE-MACK LEASE

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet filed by Thomas D. Brown & Co. on the 25th day of July 1936 covering a certainty royalty interest in the property described therein as Moore-Mack Lease is incomplete or inaccurate in the following material respects, to wit:

1. In that the productive thickness used in the Bromide Sand in Division III is believed not to be correct.

2. In that the estimate in Division III considers the entire average thickness of McLish Sand to be productive.

3. In that the computation of the ultimate recovery in Division III appears excessive, probably by reason of the fact that the factors used as indicated in other grounds herein are improper.

4. In that the claim in Division III of the productive thickness of the Wilcox Sand is believed overstated.

5. In that it is believed that the Wilcox Sand described in Division III will not be productive on the tract described.

6. In that the scale is omitted on Exhibit A.

7. In that Item 6, Division III indicates Division III was prepared at the instance of another than the offeror.

8. In that there appears inconsistencies between Items 3 and 4 of Division III in stating the gross recovery for the developed portion of the lease.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 31st day of August 1936; that an opportunity for hearing be given to the said Thomas D. Brown & Co., for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension should be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission, be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding begin on the 17th day of August 1936, at 1:00 o'clock in the afternoon of that day at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1539—Filed, August 3, 1936; 12:55 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 1st day of August A. D. 1936.

[Filed on July 27, 1936]

IN THE MATTER OF FREDERICK FALKIN & CO. OFFERING SHEET OF A ROYALTY INTEREST IN LOUAL-CARTER CRADDOCK FARM

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340(A)), AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet filed by Frederick Falkin & Co. on the 27th day of July 1936, covering a certain royalty interest in the property described therein as Loual-Carter Craddock Farm is incomplete or inaccurate in the following material respects, to wit:

1. In that the phrase "or disapproved" is omitted from paragraph 2, Division I.

2. In that Division II, Item 11 (b) is misstated.

3. In that the figures for August and September 1935 and February 1936 in Item 16 (a), Division II, are misstated.

4. In that the form of, and authority for, signature to Division II required of corporations if offeror is a corporation has been omitted.

5. In that Exhibit A includes "Blackstock" with the offering.

6. In that Item 3, Division III, is miscalculated with reference to the Simpson zone non-producing.

7. In that Division III states that 200 feet of Viola Lime is saturated 100%.

8. In that Division III states that 50 feet of Bromide is saturated 100%.

9. In that the statement in Division III with respect to the average per acre recovery from a formation with an average porosity of 14% is contrary to experimental data.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 31st day of August 1936; that an opportunity for hearing be given to the said Frederick Falkin & Co. for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension should be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding begin on the 17th day of August 1936, at 4:00 o'clock in the afternoon of that day at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1535—Filed, August 3, 1936; 12:53 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of July A. D. 1936.

[Filed on July 27, 1936]

IN THE MATTER OF VIRGIL O. KING, INC., OFFERING SHEET OF A ROYALTY INTEREST IN GULF MID-CONTINENT HARTLE LEASE

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340(A)) AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet filed by Virgil O. King, Inc., on the 27th day of July 1936 covering a certain royalty interest in the property described therein as Gulf Mid-Continent Hartle Lease is incomplete or inaccurate in the following material respects, to wit:

1. In that explanation is not made in Division III as to how each factor there used was estimated for this tract.

2. In that reasons for the use of each particular factor in combination with each of the other factors have been omitted from Division III.

3. In that the estimated factors of recovery and porosity used in combination in Division III are believed to be contrary to experimental data.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 29th day of August, 1936; that an opportunity for hearing be given to the said Virgil O. King, Inc., for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension should be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission, be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding begin on the 17th day of August 1936, at 2:00 o'clock in the afternoon of that day at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate. Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1538—Filed, August 3, 1936; 12:54 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of July A. D. 1936.

[Filed on July 27, 1936]

IN THE MATTER OF LANDOWNERS ROYALTIES COMPANY OFFERING SHEET OF A ROYALTY INTEREST IN FRANK B. BAKER FARM

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet filed by Landowners Royalties Company on the 27th day of July 1936, covering a certain royalty interest in the property described as Frank B. Baker Farm is incomplete or inaccurate in the following material respects, to wit:

In that Item 2 (b), Division II, states that this property is in the described field and Item 10 (a) states it is one and one-half miles from the said field.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 31st day of August 1936; that an opportunity for hearing be given to the said Landowners Royalties Company for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension should be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission, be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding begin on the 17th day of August 1936 at 3:30 o'clock in the afternoon of that day, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1536—Filed, August 3, 1936; 12:54 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of July A. D. 1936.

[Filed on July 27, 1936]

IN THE MATTER OF LANDOWNERS ROYALTIES COMPANY OFFERING SHEET OF A ROYALTY INTEREST IN WILLIAM J. O'HAIRE FARM

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet filed by Landowners Royalties Company on the 27th day of July 1936, covering a certain royalty interest in the property described therein as William J. O'Haire Farm, is incomplete or inaccurate in the following material respects, to wit:

In that Item 2 (b), Division II, states that this property is in the described field and Item 10 (a) states it is one and one-half miles from the said field.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 31st day of August 1936; that an opportunity for hearing be given to the said Landowners Royalties Company for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension should be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding begin on the 17th day of August 1936, at 3:00 o'clock in the afternoon of that day at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

Upon completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1534—Filed, August 3, 1936; 12:53 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 31st day of July A. D. 1936.

[Filed on July 24, 1936]

IN THE MATTER OF SOUTHWEST ROYALTIES COMPANY OFFERING SHEET OF A ROYALTY INTEREST IN PHILLIPS ET AL GREGG FARM

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet filed by Southwest Royalties Company on the 24th day of July 1936, covering a certain royalty interest in the property described therein as Phillips et al Gregg Farm is incomplete or inaccurate in the following material respects, to wit:

In that the estimation of recoverable oil in Division III is stated to be based on the fact that the producing horizon of the Gregg tract is the same as that of the other leases mentioned as a basis of comparison.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 30th day of August 1936; that an opportunity for hearing be given to the said Southwest Royalties Company for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension should be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding begin on the 17th day of August 1936, at 11:00 o'clock in the forenoon of that day at the office of the Securities and Exchange Commission, 18th Street and Penn-

sylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1537—Filed, August 3, 1936; 12:54 p. m.]

EXECUTIVE ORDER

REGULATIONS GOVERNING THE PREPARATION, PRESENTATION, FILING, AND DISTRIBUTION OF EXECUTIVE ORDERS AND PROCLAMATIONS

By virtue of and pursuant to the authority vested in me by the Federal Register Act, approved July 26, 1935 (49 Stat. 500), and as President of the United States, I hereby prescribe the following regulations governing the preparation, presentation, filing, and distribution of Executive orders and proclamations:

1. Proposed Executive orders and proclamations shall be prepared in accordance with the following requirements:

(*a*) A suitable title for the order or proclamation shall be provided.

(*b*) The authority under which the order or proclamation is promulgated shall be cited in the body thereof.

(*c*) Punctuation, capitalization, orthography, and other matters of style shall conform to the most recent edition of the Style Manual of the United States Government Printing Office.

(*d*) The spelling of geographic names shall conform to the most recent official decisions made pursuant to Executive Orders No. 27–A, of September 4, 1890, No. 399, of January 23, 1906, and No. 6680, of April 17, 1934.

(*e*) Descriptions of tracts of lands shall conform, so far as practicable, with the most recent edition of the Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations, published by the Federal Board of Surveys and Maps.

(*f*) Proposed Executive orders and proclamations shall be typewritten on paper approximately 8 by 12½ inches, shall have a left-hand margin of approximately 2 inches and a right-hand margin of approximately 1 inch, and shall be double-spaced, except that quotations, tabulations, or descriptions of land may be single-spaced.

2. The proposed Executive order or proclamation shall first be submitted to the Director of the Bureau of the Budget. If the Director of the Bureau of the Budget approves it, he shall transmit it to the Attorney General for his consideration as to both form and legality. If the Attorney General approves it, he shall transmit it to the Director of the Division of the Federal Register, the National Archives. If it conforms to the requirements of paragraph 1 hereof, the Director of the Division of the Federal Register shall transmit it and three copies thereof to the President. If it is disapproved by the Director of the Bureau of the Budget or the Attorney General, it shall not thereafter be presented to the President unless it is accompanied by the statement of the reasons for such disapproval.

3. If the order or proclamation is signed by the President, the original and two copies thereof shall be forwarded to the Director of the Division of the Federal Register for appropriate action in conformity with the provisions of the Federal Register Act: *Provided, however,* That the seal of the United States shall be affixed to the originals of all proclamations prior to such forwarding. The Division of the Federal Register shall cause to be placed upon the copies of all Executive orders and proclamations the following notation, to be signed by the Director or by some person authorized by him: "Certified to be a true copy of the original." The Division of the Federal Register shall number and shall supervise the promulgation, publication, and distribution of all Executive orders and proclamations.

4. The Division of the Federal Register shall cause a limited number of copies of the Executive orders and proclamations not required or authorized to be filed and published under the provisions of the Federal Register Act to be made available in slip form to the appropriate agencies of the Government.

5. The Division of the Federal Register shall file in the National Archives the originals of all Executive orders and proclamations.

6. The signed originals and copies of all Executive orders and proclamations heretofore promulgated and now in the custody of the Department of State shall be transferred to the National Archives.

7. Nothing in this order shall be construed to apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

8. This order shall become effective on March 12, 1936, and shall thereupon supersede Executive Order No. 6247, of August 10, 1933.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 18, 1936.

[No. 7298]